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Attorney Docket No. 43390-8001.US01

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	**10/667,027**	**Confirmation No.**	:	**9124**
Applicant	:	**Thomson et al.**	**TC/A.U.**	:	**2681**
Filed	:	**September 17, 2003**			
Examiner	:	**Pierre Louis Desir**			
Docket No.	:	**43390-8001.US01**	**Customer No.:**		**22918**

Declaration of Prior Invention Under 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA

I. This Declaration establishes invention prior to April 23, 2003.

II. This Declaration is being made by Allan Thomson and Sudhir Srinivas, i.e., the named inventors of the above-identified patent application.

III. Conception: Prior to April 23, 2003, we conceived the inventions currently presented in independent claim 1 of the above-identified patent application. Claim 1 is attached hereto as Exhibit A. Claim 1 is exemplary of an embodiment of the inventions. Exhibit B includes a listing of files related to a product that is representative of the embodiment claimed in the exemplary independent claim 1. Exhibit B is intended to show conception prior to April 23, 2003. Exhibit B includes documentations that were created prior to April 23, 2003. The dates of each file have been redacted. Exhibit B includes the following documents:

B1: NMS Release 1.0 Functional Specification

B2: User Management Screen Shots

B3: Trapeze Networks JumpPad Screen Shots

B4: NMS-Schedule

Exhibit B correlates to the exemplary independent claim 1. These correlations are for the purpose of example only, and not intended to limit the scope of the claims. TABLE 1 provides a rough correlation between Exhibit B and, for example, independent claim 1:

TABLE 1

EXHIBIT B (Examples only)	CLAIM 1
B1) • Functional Specification (pg. 6) o The Network Management Solution ("NMS") provides a solution to configuration/provisioning management, performance management, fault management, client management associated with wireless networks. • Planning Network (pg. 7) o The user defines a network plan. The user is able to operate in either a "logical view" or a "topological view". (pg. 7, 1. Plan Network). o Planning involves creating new network plans or working with existing ones (pg. 30, 3.1 Network Plans). • Deploying Network (pg. 7) o The user physically installs devices such as APs. (pg. 7) B2) • Management software screen shots. B3) • Trapeze Networks JumpPad Screen Shots o Trapeze Networks JumpPad shows screen shots captured from the working prototype. B4) • NMS-Schedule o The timeline shows the original project schedule from implementation to network performance updates	(a) A method of planning a wireless local area network, comprising:

B1) • **Topological view (pgs. 11-12, 1.2.2.2 Topological View)** o **A topological view of the network shows topological objects like sites & buildings. The topological view displays all elements contained in the topological element.** o **In defining topological objects (pg. 31, 3.1.2.), the user selects, places, configures site, building, floor or walls.** • **Floor/Building/Site Level Performance (pg. 80)** o **The user selects a floor, building or site.** **B3)** • **Trapeze Networks JumpPad Screen Shots** o **Trapeze Networks JumpPad shows screen shots captured from the working prototype.** **B4)** • **NMS-Schedule** **The timeline shows the original project schedule from implementation to network performance updates.**	**(b) receiving floor plan data about a site for the wireless local area network;**
B1) • **Selecting a topology object or pre-defined coverage area (pg. 37)** o **In order to validate the coverage, the user must select a coverage area. This could be an existing topology object or could be a coverage area. (pg. 37)** • **Verification (or validation) of the network occurs at different phases.** o **Verification, for instance, of network configuration data occurs against the entire plan. (pgs. 53-56).** **B3)** • **Trapeze Networks JumpPad Screen Shots** o **Trapeze Networks JumpPad shows screen shots captured from the working prototype.** **B4)** • **NMS-Schedule** **The timeline shows the original project schedule from implementation to network performance updates.**	**(c) receiving coverage data about the site for the wireless local area network;**

B3) • Trapeze Networks JumpPad Screen Shots o Trapeze Networks JumpPad shows screen shots captured from the working prototype. B4) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates.	(d) receiving capacity data about the site for the wireless local area network; and
B1) • Menu Bar (pgs. 14-19) o The File/Edit/View menu provides the user with a variety of file based functions. • Verification of Network Configuration Data (pgs. 56-59) o The user changes the configuration and the changes will be verified before deployment. • Changes of Network Configurations (pg. 60) o The user can view or modify the configurations of the devices, VLAN or plan at any time. (pg. 60). • Performance Management (pgs. 75-81) o All performance parameters are accessible from the configuration views of the network. (pg. 75). B3) • Trapeze Networks JumpPad Screen Shots o Trapeze Networks JumpPad shows screen shots captured from the working prototype. B4) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates.	(e) based at least on the floor plan data, the coverage data, and the capacity data, determining quantity, placement, and configuration of a plurality of access points of the wireless local area network.

IV. Diligence: We diligently constructively reduced the invention to practice on September 17, 2003. Attached, with dates redacted, as Exhibits C1 through C4 (collectively "Exhibit C") are exemplary documents produced between April 23, 2003 and constructive reduction to practice. It should be noted that Exhibit C1 and B4 are the same. The date associated with this document is a range that extends from before April 23, 2003, making it suitable for showing conception, and to after April 23, 2003, making it suitable for showing diligence. These documents are in chronological order, and have redacted dates which occurred at irregular intervals but without interruption extending from our conception of the invention to our constructive reduction to practice of the invention. Exhibit C includes the following documents:

C1: NMS-Schedule

C2: NMS 1.0 Software Design Specification

C3: Ringmaster Release 1.1 Functional Specification

C4: Ringmaster 2.0 Functional Specification

Exhibit C correlates to the exemplary independent claim 1. These correlations are for the purpose of example only, and not intended to limit the scope of the claims. TABLE 2 provides a rough correlation between Exhibit C and, for example, independent claim 1:

TABLE 2

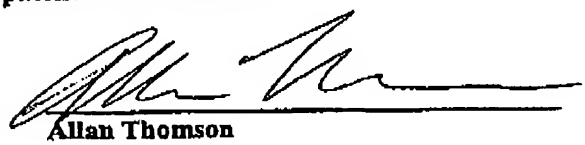
EXHIBIT C (Examples only)	CLAIM 1
C1) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates. C2) • RF Planning Tool (pg. 4) o The primary goals of RF Planning Tool include creating a coverage area, designing wireless network, defining obstacles in floor, assigning channels to different Access Points. (pg. 4). o Network design can be launched from the floor wizard. (pg. 10). o Network planner would perform defining a floor, obstacles, a coverage area or specifying certain constraints or deploying changes. (pgs 4-6). • RF Interference is a big problem in WLAN. The presence of RF obstacles within a floor can be seen on the actual coverage devices. (pg. 23). C3) • Planning Tool o New implementation of planning tool will be able to handle the following coverage areas: concave shaped coverage areas and shared coverage areas. (pgs. 18-19). C4) • RF Planning o Ringmaster RF Planning requires the user to select the appropriate chassis type they want to deploy in their network. (pg. 13).	(a) A method of planning a wireless local area network, comprising:

C1) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates. C2) • Floor Definition o A floor wizard controls the definition of floor. A wizard defines various factors such as partitions and floor attributes. (pgs. 7-9). • Information Model o Information Model displays floor information such as background image, ceiling attenuation factor, obstacles. (pgs. 13-14). • Obstacles o The user can define obstacles and assign attributes such as attenuation factor. (pgs. 13-14). o The user will have to manipulate the floor plan. (pg. 38). C3) • RF Obstacles o The attenuation factor of a RF obstacle is same in 802.11b and 802.11g. (pg.11). • Channel Assignment o When channel assignment is performed for the entire floor, all 801.11b and 801.11g radios will be considered to reduce co-channel interference. (pg. 12). • Floor View o A new icon which allows viewing the RF coverage will be added. (pg. 15). o Network topology verification is implemented with the introduction of 802.11g. (pg. 16). • Planning Tool o New implementation of planning tool will be able to handle the following coverage areas: concave shaped coverage areas and shared coverage areas. (pgs. 18-19). C4) • Network Topology Verification o Network topology verification is an important feature in Ringmaster. (pg. 13).	(b) receiving floor plan data about a site for the wireless local area network;

C1) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates. C2) • Coverage Area Definition o This can be performed using In Floor Layout featured in the tool bar. (pg. 10). o Network design shows the list of coverage areas in the floor. (pg. 11). o Coverage area is a portion of the floor where the user desires certain WLAN connectivity. (pg. 14). o A coverage area has attributes such as user-specified area, average number of users. (pg. 14). • In network design, a set of constraints are specified and the list of coverage areas in the floor are selected for computation. (pgs. 10-11). • Information model includes coverage area data. (pg. 14) o Coverage area is a portion of the floor where the user desires certain WLAN connectivity. (pg. 14). • Furthermore, in designing RF Network, the user must specify one coverage area or a set of coverage areas at a time. (pg. 16). C3) • There is a design constraint that the user is allowed to select. This constraint will become an attribute on coverage area. (pg. 8). • The user can choose 802.11g only or 802.11a and 802.11g in creating a coverage area. (pg. 10). o Coverage area will have an additional attribute to allow/disallow 802.11b clients. (pg. 10). • RF Coverage o A user must specify if contours are needed. If a coverage is selected, it will draw RF coverage for the technology of the coverage area. (pg. 12). o Wherever the coverage area is shown, the menu shows "Coverage Area". (pg. 14). [DY033016.043] • Planning Tool	(c) receiving coverage data about the site for the wireless local area network;

C1) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates. C3) • Capacity based computation o It becomes critical in MP count computation that 802.11g radio can accept 802.11b clients. (pg. 11).	(d) receiving capacity data about the site for the wireless local area network; and
C1) • NMS-Schedule The timeline shows the original project schedule from implementation to network performance updates. C2) • Design and Computation o The user selects the coverage areas for computation and upon finishing computation, the new Access Points will be shown. (pgs. 10-11). • Assigning Channels o A wizard will ask the seed AP and Channel to automatically assign channel numbers to the other APs. (pg. 12). • Design Constraints o The network planner provides certain constraints such as max. AP-DP distance, existing APs. (pgs. 14-15). • RF Network Design Computation o The user must specify the following pre-requisites: location of wiring closet, coverage area and so on. (pg. 16). • AP Computation o The crux of designing RF Network is to place APs for optimal coverage. (pg. 16). C4) • Deploying MP configurations o The user deploys the MP configuration in deploying MP configurations. (pg. 17).	(e) based at least on the floor plan data, the coverage data, and the capacity data, determining quantity, placement, and configuration of a plurality of access points of the wireless local area network.

V. **We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, (18 U.S.C. §1001) and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.**



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Date: 12/7/05

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Date: 12/9/05